

CHILD WELFARE IN *Newsletter* PROGRESS

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RIGHTS OF CHILDREN IN CARE PROTECTED BY CHILDREN'S GUARDIAN

Alberta's newly appointed Children's Guardian, Dr. Herbert Sohn, began work this month to familiarize himself with Alberta, the new Child Welfare Act, and the expectations of his new role. His legislated duties as Children's Guardian to some 6,000 children in the care of Alberta Social Services and Community Health begin on July 1, 1985 when the Child Welfare Act will be put into force.

The position of Children's Guardian is unique in Alberta and is being studied carefully by other child welfare systems in the country. The Guardian's role, as described in the Child Welfare Act, is to ensure that the

child welfare system serves children's best interests and protects their rights while they are in care. This role is seen as separate from the provision of services to children.

How will Dr. Sohn monitor the care of some 6,000 children? His work will be shared with Regional Children's Guardians, yet to be appointed. Also, the Child Welfare Information System, an on-line computer system, will be a major source of help. The computer network will allow Dr. Sohn to retrieve all types of information on Alberta's children in care. For example, he could find out how many and which children have moved in one

month, or how many have been made permanent wards and in which district offices. He can also look at a child's file. Reading from the case plan, progress reports and contact notes, he can determine if he needs to advocate for that child and with whom.

Dr. Sohn's first priority will be to start working on establishing policies and procedures for the Children's Guardian office and recruiting the regional guardians. His legislated responsibilities begin July 1, when the new Child Welfare Act is proclaimed.

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IMPROVING SERVICE TO CHILDREN AND FAMILIES INTENT OF NEW CHILD WELFARE ACT

To improve the quality of service to children and families in need of help is the primary aim of Alberta's new Child Welfare Act says Dennis Maier, a Child Welfare Implementation Project (CWIP) manager.

"Obviously, 20 years later, it's logical that the legislation should need updating to make it complementary to current practices and knowledge in child welfare (the current Child Welfare Act was passed in 1965). But the very bottom line is, the quality of service provided and the practice of child welfare, needs to continue to be improved," he said.

Maier said there have been several revisions made to the old Child Welfare Act during the 20 years, but, "like an old car, you can repair it but you still have an old car and there comes a time when you have to secure a new vehicle."

According to Maier, section 2 of the Act, *Matters to be considered*, is fundamental in improving child welfare services. In this section are listed the values, or belief statements, which the court, staff and all others dealing with children at risk are to consider when making decisions about those children.

When the Act was first introduced as Bill 105 in 1983, the government took it to the public for opinions, comments and suggestions. Many of those recommendations were incorporated and those changes resulted in Bill 35, which was assented to as the new Child Welfare Act in May 1984.

The project team's consensus of the Act's intent is summarized in the following statements of values and beliefs that are fundamental to the Act's development.

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CHILDREN'S GUARDIAN LEARNING ON THE JOB

Dr. Herbert Sohn is certainly enthusiastic about his new job as Alberta's Children's Guardian — he started almost a week early. He says he wishes he were here six months ago.

"I have a lot to learn about what's happening in Alberta, I have to set up a plan and get that implemented before July 1. Right now I'm reading things like mad."

The job of Children's Guardian appealed to him because "it's a chance to develop something completely new, a new approach . . . the idea of being able to add a dimension of protection for children is exciting and challenging for me. I worked with children and youth directly for a number of years and in Toronto I developed and managed the Child Abuse Prevention Program (for the Ontario Ministry of Community Social Services)."

Asked how he plans to look after some 6,000 children, he explained, "I won't be looking after children as such I will have a say in their care, will have to monitor that care, and ensure that the care is the most appropriate. There will be six regional guardians that will be part of a team, as I will be, and we'll work with the child protection network which is already established in Alberta."

Dr. Sohn is a social worker himself,



with more than 20 years experience in child welfare and human rights. He received his Doctorate in Social Work from the University of Toronto and he has taught university programs in child abuse, family violence and social policy.

He developed Ontario's Child

Abuse and Prevention Program in 1976. Before that he held positions as Director of Social Services for the Metro Toronto area and Assistant Director of the Ontario Human Rights Commission.

Dr. Sohn and his wife have five children.

FEEDBACK ON REGULATIONS

February 15th was the deadline for submissions and comments on the *Proposed Regulations for Alberta's New Child Welfare Act*. Don Alexander, a Child Welfare Implementation Project (CWIP) manager and the person who coordinated the drafting of the regulations, is now reviewing all those submissions.

In addition to comments solicited from community agencies, CWIP conducted sessions in each of the six regions of the Department of Social Services and Community Health to

allow staff to make written and verbal submissions. Alexander is now looking at all the submissions from external agencies and staff groups.

After reviewing all the submissions, and consolidating the information, Alexander will forward recommendations to the Minister this month.

The two areas that attracted the most interest, according to Alexander, were the regulations dealing with staff qualifications and the designation of secure treatment facilities.

In the area of staff qualifications, there was general support for increasing professional standards for persons providing child protective services, he said. At the same time, there was some recognition that obtaining the desired standard before implementation of the Act on July 1, would be extremely difficult.

Regarding secure treatment resources, Alexander said there were

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MAJOR INNOVATIONS IN NEW ACT

How is the new Child Welfare Act going to provide better service to children and their families? According to Dennis Maier, one of the nine project managers responsible for implementing the Act, several major innovations legislated by the Act will ensure more effective service. Included in the innovations are:

- Establishment of the office of the Children's Guardian.
- A clearer definition of when children need protection.
- A requirement for good case planning by child welfare workers.
- An emphasis on least intrusive measures.
- Clear directions for the use of secure treatment for children.
- Opportunity for members of the community to share in joint guardianship responsibility for a child in care, and a simpler method of arranging private guardianship.
- Innovations in the area of adoption, such as post-adoptive registry, less government involvement in private adoptions, and opportunities for subsidized adoptions of children in care.
- An appeal process that could involve lay persons on appeal panels with a clear statement of the panels' independent authority.
- Assurance of consultation with Indian bands regarding Indian children coming in to care.
- Recognition and a higher profile for the role foster parents have in caring for children.

A list of expected outcomes have been identified by the CWIP team which reflect anticipated changes in the child welfare system following proclamation of the Act. These indicators will assist the Social Services department in determining the impact of the legislative change over the next two or three years. During this time, work will concentrate on developing and refining the child welfare program to ensure the intent of the Act,

(ensuring better service to families and children in care) is achieved. Here are the expectations:

- An increased emphasis on less intrusive measures for helping children and families in need.
- An increase in the quality and effectiveness of case planning.
- An increase in coordination and joint planning among government and community agencies.
- A reduced number of children in government care.
- Fewer placements of children in secure treatment institutions.
- Children in government care for shorter periods of time.
- An increase in community awareness of the problems and needs of

children at risk and their families.

- More support from the Department to assist communities in responding to the needs of children and families.
- A clearer specification of the avenues of appeal and review for decisions that affect children and their families.
- Improvements in service as a result of coordination regarding the development of the new Mental Health Act and the Residential Replacement Program.
- A continued commitment by the department to continue to recruit and maintain dedicated child welfare staff with the expertise to meet the challenges of children and their families today.

IMPROVING SERVICE TO CHILDREN AND FAMILIES INTENT OF NEW CHILD WELFARE ACT

Continued

1. Children depend on their families and communities for survival, security and development. Government may get involved, but its role must be to encourage and support individual, family and community responsibilities.
2. The family is the best place for children. An environment where the family is respected contributes to the well being of children.
3. The quality of community life has an impact on families and their children.

The Act's development centres around the belief that when a child's survival, security or development is endangered, the government has a clear obligation to protect the child. Any intervention must be done in a manner which focuses on the best interests of the child while supporting further development and functioning of the family.

Some of the considerations that must be taken into account include: respecting a child's heritage; recognizing a child's ability to contribute to the decision-making process; acknowledging respect for the privacy of the family; and providing effective help for the problem that has put the child at risk.

These values and beliefs that are listed as specific considerations in section 2 of the Act, create a perspective, says Maier. "Those associated with child welfare understand and respect these values, which will be a guide in their day to day work. These values will affect their behavior. People don't work only to the letter of the law, but also in the spirit of the law, so when they have clearly enunciated values it reinforces good attitudes which result in positive actions. By stating these beliefs clearly, upfront and often, it will reinforce the good behavior that I believe our staff and many others are already emulating."

CHILD WELFARE PROGRESSING AS TARGET DATE NEARS

A number of events and activities have occurred since the passing of the Child Welfare Act (Bill 35) on May 31, 1984. Reports by Dr. R. Thomlison and Judge W. White have been received which reinforce the direction in which the Alberta Department of Social Services and Community Health is proceeding. The department is fully supporting the implementation of the Act and the re-design of family and children's services with the dedication of significant human and financial resources.

Specific changes have already been initiated. As extensive case review/audit of temporary and permanent wards in the various regions of the province is being undertaken which will result in the identification of chil-

dren potentially "at risk" and ensure a plan of care is in place for them. Monies have been re-allocated within the budget to support plans to provide individual care for specific children as needed and to assist families.

A Residential Replacement Program has been developed which provides funding to operate child-care programs within the various regions of the province. Proposals include an intent to provide individual, non-institutional care; provision of care within, or close to, the child's home; and emphasis on reuniting the family.

An action-oriented committee has been designated to address Native/Metis issues. This includes a native apprenticeship program and a native

awareness program. There is inter-departmental involvement, and participation by Indian groups and individuals, plus personnel from Indian and Northern Affairs Canada.

A Children's Mental Health system is in the planning stage. Also, an inter-departmental committee is reviewing the assessment/treatment needs of children and will recommend appropriate action. The Handicapped Children's Services program is under review and will be modified to reflect the new Act and philosophy of the department. Finally, a competition for Children's Guardian has been held and an appointment announced. Regional Children's Guardians will be selected soon for each of the six regions of the province.

FEEDBACK ON REGULATIONS

Continued

some concerns expressed with the proposed option for two secure treatment centres in the province. Short-term secure treatment facilities, as close to the child's community as possible, was supported by most respondents as well as the regulation recommending that long-term treatment be in a consolidated secure treatment centre. Both staff and external agencies strongly supported the need for availability of regional resources.

"With only a few exceptions, there was general support for the approach which recommends a minimum of regulations and using policy in the absence of regulations to ensure standards which will provide some flexibility until further experience is gained with the legislation," Alexander said.

The next step is to present recommendations based on the submissions to the Minister for approval. The intent of each regulation will then be sent to the Attorney General's department, where the regulations will be drafted. Those must be approved by the Minister, and in some

cases by the Cabinet. The regulations passed by Cabinet are printed in the Alberta Gazette, a month before they go into effect.

If you require additional copies of the Newsletter, or know of an individual or group that would like to receive future issues, please telephone Joyce Garipey at 422-5187, Edmonton or write to Child Welfare Implementation Project, 9th floor, Seventh Street Plaza, 10030 - 107 St. Edmonton, Alberta T5J 3E4

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